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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/583,715

10/27/2008

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03/05/2010

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EXAMINER

MULLINS, BURTON S

ART UNIT

PAPER NUMBER

2834

MAIL DATE

DELIVERY MODE

03/05/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/583,715	Applicant(s) UCHIUMI ET AL.	
	Examiner BURTON MULLINS	Art Unit 2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7, 10 and 11 is/are allowed.
- 6) ☒ Claim(s) 8 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/20/06</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 20 June 2006 has been filed after the considered by the examiner.

Specification

3. The disclosure is objected to because of the following informalities: Reference to specific claims (pages 3-11) should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eguchi (JP 2003-143799) in view of Tsuzaki et al. (US 5,986,367). Eguchi teaches a surface-mount type vibration motor comprising a vibration motor body 11 (Fig.1) of which an output shaft end is attached with an eccentric weight 13 and a motor holder 14 to be installed to said vibration motor

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body to place said vibration motor body on a board 31 (Fig.3), and a part 142/142' of said motor holder 14 is bonded on said board 31 using reflow solder (abstract, Fig.3), wherein said motor holder is provided with a motor holding section (i.e., holder 14) for covering a periphery of said vibration motor body 11 to hold said vibration motor body (Figs.1-4) and motor support sections (not numbered, lower portions of holder 14 adjacent 142/142', Fig.3) that extend in an axial direction of said output shaft over said board 31 (Figs.3-4) and are in contact with said board 31, and an uppermost portion of said motor holder 14. Eguchi differs in that there is no elastic support body on the uppermost portion of the motor holder 14 for holding said vibration motor body at the position opposite to said motor holder.

Tsuzaki teaches a motor mounting mechanism for a vibration motor comprising a holder 10 mounted to board 12 provided with an elastic (rubber) support body 17 for holding the vibration motor body at a position opposite motor holder 10 (Fig.7), by urging the motor housing/frame 6 downward to prevent removal of the motor from the holder (c.4:36-40).

It would have been obvious to modify Eguchi and provide an elastic support body 17 as in Tsuzaki to urge the motor downward to prevent removal of the motor from the holder.

Allowable Subject Matter

6. Claims 1-7 and 9-11 are allowed. The prior art does not teach the claimed surface-mount vibration motor comprising, inter alia, a connection section extending from said motor holding section to said motor support section that is bent in an arc shape having elasticity and is provided with openings (claim 1), or a connection section of said motor holder between said motor holding section and said motor support sections is formed by a metal sheet in an arc shape, said

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surface mount-type vibration motor is bonded to said board that is fixed between one of a pair of housing cases forming a frame body by fitting to each other and assembling them and an internal board using reflow solder, an elastic support body is arranged between said case of said pair and said surface mount-type vibration motor, and said surface mount-type vibration motor is held between an internal board and a housing case through said elastic support body by assembling said pair of housing cases (claim 10).

7. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art does not further teach a power supply terminal to be soldered to a power supply land provided to said board and said power supply terminal comprises an elastic bending section.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BURTON MULLINS whose telephone number is (571)272-2029. The examiner can normally be reached on 9-5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Q.Leung can be reached on (571)272-8188. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BURTON MULLINS/
Primary Examiner, Art Unit 2834

bsm
26 February 2010